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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/076,121	02/12/2002	Steven Teig	SPLX.P0081	8839

23349 7590 07/14/2003  
STATTLER JOHANSEN & ADELI  
P O BOX 51860  
PALO ALTO, CA 94303

EXAMINER
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DO, THUAN V

ART UNIT	PAPER NUMBER
2825	

DATE MAILED: 07/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.	10/076,121	Applicant(s)	TEIG ET AL.
Examiner	Thuan Do	Art Unit	
		2825	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on \_\_\_\_.  
2a) This action is FINAL.      2b) This action is non-final.  
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1-14 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.  
5) Claim(s) \_\_\_\_ is/are allowed.  
6) Claim(s) 1,2,4-9 and 11-14 is/are rejected.  
7) Claim(s) 3 and 10 is/are objected to.  
8) Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9) The specification is objected to by the Examiner.  
10) The drawing(s) filed on 28 May 2002 is/are: a) accepted or b) objected to by the Examiner.  
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
11) The proposed drawing correction filed on \_\_\_\_ is: a) approved b) disapproved by the Examiner.  
    If approved, corrected drawings are required in reply to this Office action.  
12) The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
    a) All b) Some \* c) None of:  
        1. Certified copies of the priority documents have been received.  
        2. Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
        3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
    \* See the attached detailed Office action for a list of the certified copies not received.  
14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
    a)  The translation of the foreign language provisional application has been received.  
15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1) Notice of References Cited (PTO-892)  
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.

4) Interview Summary (PTO-413) Paper No(s). \_\_\_\_.  
5) Notice of Informal Patent Application (PTO-152)  
6) Other: \_\_\_\_\_

## **Office Action Summary**

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2a)  This action is **FINAL**.                    2b)  This action is non-final.

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## **Disposition of Claims**

4)  Claim(s) 1-14 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1,2,4-9 and 11-14 is/are rejected.

7)  Claim(s) 3 and 10 is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on 28 May 2002 is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)  The proposed drawing correction filed on \_\_\_\_\_ is: a)  approved b)  disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)  The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)  All b)  Some \* c)  None of:

1.  Certified copies of the priority documents have been received.
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

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**Attachment(s)**

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2)  Notice of Draftsperson's Patent Drawing Review (PTO-948) 5)  Notice of Informal Patent Application (PTO-152)  
3)  Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6)  Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims 1-14 are pending in this office action.

***Claims***

Claim 1, the term "...if the intersection is sufficiently large, adding the potential via expansion to the specified set of path expansions".

Clarification or correction is required.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(e) the invention was described in-  
(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or  
(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

2. Claims 1, 2,4-9,11-14 are rejected under 35 U.S.C. 102(e) as being unpatentable over Carvey et al., Pub. No. 2002/0016901.

**Regarding claim 1:** Carvey teaches a layout comprising:

- a) specifying a set of path expansions (page 9, paragraph [0105] ) from a first topological item to a second topological item, wherein the second topological item is on a first layer of the layout (page 3, paragraph [0049] and figures 1 and 2 for a first topological item of a layer to a second layer topological item ) ;
- b) for a potential via expansion (page 7, paragraph [0081] ) from the second topological item to a third topological item on a second layer of the layout, identifying a first region on the first layer for the second topological item (page 3, paragraph [0049]

and figures 1 and 2 for a first topological item of a layer to a second layer topological item );

identifying a second region on the second layer for the third topological item (page 3, paragraph [0049] and figures 1 and 2 for a second topological item of a layer to a third layer topological item );

determining whether an intersection of the first and second regions is sufficiently large to contain a via (page 5, paragraph [0064] using the comparison of the lengths of the conducting paths to determine the intersection value regarding to routing space ) ;

if the intersection is sufficiently large, adding the potential via expansion to the specified set of path expansions (page 1, paragraph [0004] by using “expandable by adding another backplane” for path expansions of via backplane ).

**Regarding claims 2,4-7:** These claims teach the methods similar to the method of claim 1 and rejected in the similar manner.

**Regarding claim 8:** This claim teaches a program for the similar method of claim 1 and rejected in the same rationale.

**Regarding claims 9,11-14:** These claims teach instructions similar to the program of claim 8 and rejected in the similar manner.

#### ***Allowable Subject Matter***

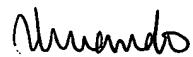
3. Claims 3, 10 are objected to as being dependent upon a rejected base claims, but would be allowable if rewritten in independent form including all of the limitations of the base claims and any intervening claims. The reason for allowance is that the prior art of record does not teach the details of the dependant claims.

#### **CONTACT INFORMATION**

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thuan Do whose telephone number is 703-305-2362. The examiner can normally be reached on Monday-Friday 8:30-5:30 (except 2nd Fridays).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew S. Smith can be reached on 703-308-1323. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3431 for regular communications and 703-305-3431 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0596.



Thuan Do  
Patent examiner  
7/4/03